

DOLLY'S APPOINTMENTS—Tonight Twenty-fourth street and Washington avenue, 5:30 to 6:30 o'clock; Tuesday Evening, between 9 and 12 o'clock, meet her at the Royal Dancing Academy

NO GUESS WORK

STANDARD DISPATCHES ARE GENUINE AND GUARANTEED BY THE GREATEST NEWS GATHERING ASSOCIATION IN THE WORLD, THE ASSOCIATED PRESS

THIRTY-NINTH YEAR—NO. 273

OGDEN CITY, UTAH, MONDAY EVENING, NOVEMBER 15, 1909

WEATHER FORECAST

UTAH—THE INDICATIONS ARE THAT THE WEATHER WILL BE GENERALLY FAIR AND COLDER; TUESDAY FAIR.

PRICE FIVE CENTS

The Ogden Standard

MINE DISASTER CLAIMS OVER 300 VICTIMS WHO LEAVE 1,000 ORPHANS

Cherry, Illinois, Scene of One of Worst Horrors in History of Country—Mine on Fire and Hope of Rescue Ended.

ALL HOPE IS GONE.

Cherry, Ill., Nov. 15.—Another outbreak of fire in the St. Paul mine this afternoon prevented any chance of life for the bodies of the fire victims. The mine was quickly sealed again, thus practically ending all hope that any of the men might be rescued alive.

Cherry, Ills., Nov. 15.—Shortly before noon hope was all but abandoned by the relatives of the 300 or more men numbered as victims in the greatest mine disaster in the history of Illinois.

That not one man of the hundreds entombed in the St. Paul Coal company's mine will be taken from it alive, was the opinion of those on the scene. At 10:45 a. m., President Newman of the state board of examining engineers, said a rescuing and exploring party had been unable to penetrate far into the gallery at the bottom of the main shaft because of the smoke and that no bodies had been discovered.

"We are preparing to start the fan and then expect revelations," he said. The oxygen helmets of the rescuers were useless in the smoke and gas choked chambers. Those entering the mine said it was still on fire and eating in badly. That every bit of life-giving air had been exhausted many hours ago, was declared certain.

Three descents were made but no sign of life was seen and the rescuers declared no life could exist for hundreds of feet beyond the shaft entrance. A few miners' caps and lamps were seen—tokens of the first rush for safety by the miners, who escaped, but no bodies were found.

This indicates that when the miners realized they were penned hopelessly in a pit from which there was no exit, they rushed to the furthermost end of the vein, where some air might be found that would keep them alive till help came.

President Richard Newman, of the state commission, declared he would have prevented the futile attempt of Supt. Bundy and others to enter the mine immediately after the explosion. He asserted any chance of escape by the main shaft was impossible.

State Mine Inspector Taylor said a small supply of air probably existed in the mine and that it was a fighting chance for those who were rescued by miners who inspected the openings yesterday.

Acting Chief of Police McFadden, for years a miner and one of the last to leave the mine alive, said the closing of the shaft that was the last vestige of hope for the entombed men.

The party selected to make the first descent today included James Taylor, state mine inspector; R. Y. Williams, of the United States rescue station at Ogden, and James Hand and Henry Smith, both of whom were among the men who escaped Saturday. It was planned to bring the bodies of the miners to the surface late this afternoon. The task presented many difficulties. Searching parties, provided with oxygen helmets to guard against the smoke, carried stretchers on which to bear the bodies to the cage. The second and third veins are said to be filled with smoke and debris. Late last night the shaft was hermetically sealed. From the time the descent to the second vein was made by men in buckets, high was laid out on sand and made the seal practically airtight.

All night a few of the anxious men and women surrounded the openings of the mine. The women complained bitterly at the sealing of the shaft, seemed to cut off all air. While it was true the air would be shut off, mining officials declared that the men, if alive, would not be affected by the total sealing, except that it would prob-

ably put an end to the fire still smoldering in the timbers and thus leave more necessary oxygen for the men.

Mrs. Fanny Buck, wife of J. P. Buck, chief clerk of the mine, has organized the women of the little town of Cherry into a society to extend relief and comfort to those needing it. At present there is no destination and the suspense of the women whose sons, husbands and fathers are buried 100 feet in the earth, has been more in evidence than any physical want.

A party of nurses from Chicago, who arrived last night, today turned into comforters of the families, probably derelict. Throughout the little hamlet were scattered cottages in various stages of completion. Families of men entombed are living in the small huts still needing glass for all the windows. It seems likely that many of the cottages never will be finished.

Officers of the local miners' union today notified President T. L. Lewis, of the Mine Workers' union, that 310 lives had been lost in the St. Paul Coal company mine disaster. President Lewis advised the local union that the contribution of the national body, will at once be placed at the disposal of the widows and orphans of the victims.

ONE THOUSAND ORPHANS.

Cherry, Ills., Nov. 15.—There are 1,000 orphans in Cherry today, and unless food in large quantities is rushed into the town many will be hungry.

"We need aid and plenty of it," said Mayor Connolly last night, "and it must be forthcoming promptly or there will be great suffering among the destitute families of the miners."

"While we do not like to ask for outside assistance, this town is too small to handle the situation alone. Most of our citizens are miners, and the majority of them are down in the mine, in all probability dead. We are doing everything possible to handle the proposition, but it is too big for us."

Dr. Howe, in charge of the relief work, said the need of food, clothing and money is great.

"Before everything else, we need food and lots of it. These poor women and children will begin to face hunger very soon, and then the situation will be terrible. Even now there is but little food in the town. The need here has been short and the stores have been sold out."

"Then the question of clothes for women and the children may turn out to be a big one. When you realize that there are 1,000 orphans in the town, then the magnitude of the situation can be seen. They will need clothes and need them badly."

The Knights of Pythias lodge, the most important organization here, had a membership of seventy-five last week. Today there are only six members; the rest are in the ill-fated mine, either dead or dying.

From the miners who were rescued Saturday, it was learned that another act of terrorism was performed by one of the men in the shaft below—a man who is in all probability dead at the present time. He was Walter Waite, an assistant foreman in the second vein.

"When he got in the elevator the first time," said Isaac Remelt, one of the first men who was fortunate enough to reach the surface in the first cage load, "Waite was standing there. He refused to come up in that load, but said he would stay down and wait for the other fellows to come."

"I know Mr. Flood tried to pull him into the cage, but he refused to come."

"Let me stay where I am," he said. "There are a lot of other fellows who ought to get out of here. Hurry up that cage and get them. I'll try and do what I can down here. Maybe it ain't as bad as it seems."

"When I asked about him after the second load had come up, nobody knew anything about him. It looks like he was overcome by smoke and died down in the shaft. He did not have to, because he could have got into the cage the first time if he had wanted to."

(Continued on Page Three.)

WRIT IS GRANTED BY SUPREME COURT

The supreme court handed down an opinion granting the petition of the plaintiff for a writ of prohibition in the case of the State ex. R. E. Walden against the Third District court, M. L. Ritchie, judge, and Edward Mackey and wife. The opinion prohibits Judge Ritchie from taking jurisdiction in a case appealed to the district court from a justice court and from taking any further action in the matter.

A judgment was obtained in a justice court by the Conville Co-op Mercantile institution against Edward Mackey and wife on January 11, 1907,

and on February 4 following the Mackeys served notice of appeal on the attorney for the Co-op, but did not file the notice until February 5. The transcript on appeal shows a docket entry in the justice court of the filing of an undertaking on appeal, but the original undertaking, or copy thereof, was not in the files transmitted to the district court. Neither did the record of the justice court show that any notice of the filing of the bond or copy of the bond had been served on the adverse party.

When the appeal was docketed in the district court the attorney for the Co-op, moved that the appeal be dismissed on the ground that the court had no jurisdiction over the case. Judge Ritchie denied the motion, whereupon an application was made to the supreme court for a writ of prohibition.

In granting the writ, the supreme court holds that the notice of appeal must be filed before it is served on the adverse party and that the notice of filing of the undertaking on appeal must be served upon the adverse party. These two matters, it is held, are material and are prerequisites to effecting an appeal, and without a compliance with the statutes in these respects the district court could have no jurisdiction over the case.

The opinion was written by Chief Justice Strapp and concurred in by Justices Frick and McCarry.

CONTEMPT OF COURT

Sheriff and Others Are Sentenced by U. S. Supreme Court

Washington, Nov. 15.—Ninety days' imprisonment was imposed today upon former Sheriff Joseph F. Ship of Chattanooga, Tenn., by the supreme court of the United States for contempt of court in failing to prevent the lynching of a negro, Ed Johnson, convicted of assault with a deadly weapon, had been stayed by the court.

Williams and Nolan were sentenced to ninety days and Gibson, Padgett and Mayers to sixty days.

Luther Williams and Nick Nolan were sentenced to imprisonment for ninety days for connection with the lynching and Jeremiah Gibson, the jailer, Henry Padgett and William Wavers, all of Chattanooga, for sixty days.

Chief Justice Fuller designated the United States jail in the District of Columbia as the place of imprisonment. Attorneys for the prisoners asked, on account of the difference in climate, that the federal prison at Atlanta be substituted. To this Attorney General Wickersham objected, saying that the Atlanta prison was for long term prisoners and that the local jail was much more suited for the present purpose.

SHERIFF SHIPP AND DEPUTIES SENTENCED FOR CONTEMPT.

Washington, Nov. 15.—Sheriff Ship of Chattanooga, Tenn., and his five deputies will appear before the United States Supreme Court Monday for sentence for contempt. The case grows out of the lynching of a negro in March, 1906.

On Monday also the court expects to receive a formal motion to review the judgment of the lower court sentencing Charles W. Morse, banker, and five other prominent Oklahomans to indictments charging them with fraudulent securing from the government title to a large number of town lots in Muskogee, Okla. The defendants were ordered to appear for trial Saturday at Chickasha.

The five co-defendants of Governor Haskell, C. W. Turner, A. Z. English, W. R. Eaton, W. T. Hutchins and F. B. Severs.

The six men were indicted by the federal grand jury at Tulsa, on May 27 last, after scores of witnesses had been summoned. The witnesses came from distant parts of the United States and a few from foreign countries.

The defendants were under indictment on the same charge before, but Judge Marshall quashed the first indictments on a technicality. The federal grand jury promptly reindicted them, rectifying the fault. In arguing against the last set of indictments the defendants alleged irregularity in the jury room and pleaded the statute of limitations.

Washington, Nov. 15.—The employees liability law of 1906 was today declared to be constitutional in territories of the United States and the District of Columbia by the supreme court of the United States. More than a year ago this law was declared to be unconstitutional when applied to the states.

The question arose in a suit for damages for the death of an employee named Gutierrez on the El Paso & Northeastern railroad in New Mexico.

DOLLY AT RACES LAST SATURDAY

She Did Not Disguise, But Had Reason to Regret Her Audacity—Visits Business Houses and Sees Much to Admire—What She Purchased—Her Advice to the Ladies.



DOLLY DIMPLES WITH A HAND CONCEALING PART OF HER FACE.

SPECIAL ANNOUNCEMENT

To those who are making an effort to locate Miss Dolly Dimples it is definitely announced that under no circumstances will Miss Dolly Dimples appear at any place other than outlined in her official stories appearing exclusively in the Standard.

Any signs placed in shop windows and in front of amusement resorts are unauthorized.

When Miss Dimples gets ready to visit any particular place, she will tell you all about it herself.

(Copyright and registered.)

(By Dolly Dimples.)

After the way you all stared at me Saturday afternoon when I attended the races, undisturbed, you surely

GOVERNOR HASKELL WANTED TO BE BANDIT

He and Five Others Must Stand Trial in Oklahoma

Chickasha, Okla., Nov. 15.—Federal Judge John A. Marshall of Utah today overruled the demurrer filed by Attorney Charles N. Haskell and five other prominent Oklahomans to indictments charging them with fraudulent securing from the government title to a large number of town lots in Muskogee, Okla. The defendants were ordered to appear for trial Saturday at Chickasha.

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Washington, Nov. 15.—President Taft will go to Norfolk, Va., Friday to speak at the convention of the Atlantic Deep Waterways association in Norfolk, Va. On Saturday he will address the negro and Italian students of the Hampton Institute at Hampton, Va.

LABOR LEADERS MUST GO TO JAIL, IS DECISION OF COURT OF APPEALS

Washington, Nov. 15.—The court of appeals of the District of Columbia today denied an application made by counsel for Samuel Gompers, John Mitchell and Frank Morrison, sentenced to jail for contempt, for a stay in the issuance of the mandate to the supreme court of the District of Columbia until January 2, 1910. Unless notice of an appeal is given before next Friday night, the mandate will be handed down Saturday.

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Samuel Gompers, John Mitchell and Frank Morrison Facing Imprisonment—Strike Protest Suggested by a Union.

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ENTRIES FOR TUESDAY'S RACES

Beginning with this afternoon there will be four more days of racing at Ogden, which will wind up the sport for this year. The indications for pleasant weather than was had last week and a good track, the racing for the remainder of the meeting will be all that could be desired.

THE FIRST RACE—Four and a half furlongs, selling, three-year-olds and up; Miss Beaumont, 105; True Sit, 105; Probe, 112; Egolst, 108; Monale, 106; 109; Watiere, 105.

SECOND RACE—Six furlongs, selling, three-year-olds and up; Jorisha, 109; Billy Taylor, 112; Diamond Nose, 109; Oriflamb, 112; Arlin, 112; Lakeview, 109.

THIRD RACE—Six furlongs, selling, three-year-olds and up; El Sher, 106; Valencia, 111; Elmdale, 114; Albion H, 111; Arthur Hyman, 106; Sylvia U, 111.

FOURTH RACE—One mile, selling, three-year-olds and up; Dorian Prince, 109; Hauling McGee, 109; Dorothy Ann, 109; Liberto, 98; St. Kilda, 109.

FIFTH RACE—Four and a half furlongs, selling, three-year-olds and up; Black Domino, 109; Wildwood Bill, 105; MacRae, 102; Liberville, 109; Sam McGibbin, 109; Lukeramus, 109; Ossian, 109.

WILLARD COMPANY IS SHIPPING GRAPHITE

Willard, Nov. 14.—The Homer Mining company has shipped from Perry its first carload of graphite, the same being sent to Salt Lake City.

This company has for the past two months been busy engaged in developing a new field of Perry, just four miles south of Brigham City, and three miles north of Willard. The mine is located only one mile from the county road and but two miles from the Oregon Short Line railroad. A splendid wagon road has been built directly to the mine, and thus very easy access is had to the property's deposits.

Mr. Gale of the United States geological survey, recently made a careful examination of the mining property, and in his report says that the find is one of the best deposits of graphite in this western country.

The United States produced but one-half of what it consumes, and thus a ready market is assured the product.

Well-developed ledge twenty feet in thickness is in sight, and the same has tested as high as 95 per cent. pure graphite. The average test, however, is 90 per cent. One of the chief uses of this mineral is put in its use for paint pigment. It is also used as a facing for casting, and with a little oil added, it makes a splendid lubricant. It is also used in manufacturing fireproof articles, and a common use is in the making of lead pencils.

Found in Early Days.

In 1864 local parties cross-cutting this same vein of graphite, but at the time were hunting for coal and failed to appreciate the real value of the mineral they passed up. Local hoaxes, however, for some time have used this mineral for the purpose of polishing their stoves, but now that its real value has been ascertained, the development of this unlimited deposit promises to prove one of the big mining industries of the state.

A. G. Burritt of Salt Lake is president of the company, and W. W. Cannon has charge of all work at the mine.